

REMARKS/ARGUMENTS

I. Status of the claims

Claims 107, 116, 118, 119, 120 are amended.

Claims 108, 109, 112-115, and 134-137 are canceled.

Claims 107, 110-111, 116-133 are currently pending with entry of the amendment. As language from dependent claims was merely inserted into dependent claims, no new matter was added.

II. Restriction of claims

Applicants elect with traverse the claims of Group I (claims 107-133).

According to the MPEP, where claims can be examined together without undue burden, the Examiner must examine the claims on the merits even though they are directed to independent and distinct inventions. *See*, the MPEP at 803.01. In establishing that an “undue burden” would exist for co-examination of claims, the Examiner must show that examination of the claims would involve substantially different prior art searches, making the co-examination burdensome. Applicants respectfully submit that examination of the claims in Groups I-II would not create an undue burden and respectfully request withdrawal of the restriction requirement in this case.

III. Species election

For the species of step (b) of claim 107, Applicants elect with traverse Group D. As amended, all pending claims read on this species.

For the species of the quantifying step, Applicants elect with traverse Group B. As amended, all pending claims but claim 110 read on the elected species.

For the species of comparison of methylation profiles, Applicants elect with traverse Group A. All pending claims read on this species. With reference to claims 125-133, Applicants note that the claims do not preclude other additional comparisons.

With regard to the last species election (for the species of comparison of methylation profiles), Applicants respectfully submit that none of the species listed by the Examiner are necessarily performed in independent claim 107 and therefore there is no need for this species election. While all of the comparisons listed under the "comparison of methylation profiles" section of the office action can be performed in combination with the steps of claim 107, the steps of claim 107 can be performed without the further comparisons recited in claims 123-130. Therefore, Applicants respectfully request that the Examiner reconsider the necessity of the final species election and consider withdrawing the "comparison of methylation profiles" category of species.

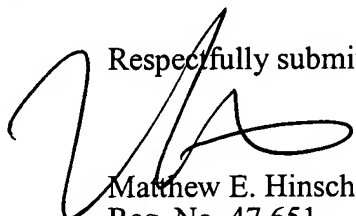
Applicants request that upon allowance of the claims, the Examiner consider rejoinder of withdrawn species if they are embraced by the allowed generic claims pursuant to MPEP § 809.03(c)(B).

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,



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